

EXHIBIT D

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK:

Index No. 07 CIV 8628

SPABO, INC. d/b/a/ MISTER SOFTEE
and MISTER SOFTEE, INC.

V.

E. PIEDAD RIVERA d/b/a/ MISTER SOFTEE,
ET AL.

State of New York)
County of Bronx) ss:

AFFIDAVIT OF SERVICE OTHER THAN BY PERSONAL DELIVERY

State of New York, County of Bronx ss:

Charles S. Flemming, being duly sworn, deposes and says:
I am over 18 years of age and not a party to this action.

At 10:27 AM, on November 3rd 2007 at 1805 Crotona Avenue, Apt. 17D, Bronx, NY 10474

In the County of Bronx, City of New York, I served the attached

SUMMONS AND COMPLAINT in this matter on **Haydee Cordon** by

[] a) delivering the said SUMMONS to:
Who was substituted for the defendant.


Description of individual Substituted:

Sex: Color of Skin: Color of Hair:
Approximate Age: Approximate Weight: Approximate Height:

[X] b) affixing the summons and complaint to a conspicuous part of the door of 1805 Crotona Avenue, Apt. 17D, Bronx, NY 10474.

Previous attempts were made on (10/12/07), (10/13/2007), (10/16/2007) (10/22/2007), (10/31/07).

Thereafter, on November 5th, 2007, a copy of the summons and complaint was mailed to the defendant in an envelope marked personal and confidential, post paid and properly addressed to the Respondent to his last residence address or place of business or employment, by depositing the same at a post office official depository under the exclusive care and custody of the United States Postal Service within the state.


PS License No. 1179930

Sworn to before me this 5th day of November 2007


(Notary Public)

JONATHAN C. PETERS
NOTARY PUBLIC STATE OF NEW YORK
NO: 01PE6134884
QUALIFIED IN KINGS COUNTY
COMMISSION EXPIRES OCTOBER 11th 2011

| U.S. POSTAL SERVICE | | CERTIFICATE OF MAILING | |
|--|--|---|--|
| MAY BE USED FOR DOMESTIC AND INTERNATIONAL MAIL, DOES NOT PROVIDE FOR INSURANCE-POSTMASTER | | | |
| Received From: | | ASHLIN P.O. BOX 4254 NEW YORK, NY 10163 | |
| One piece of ordinary mail addressed to: | | HAYDIE CORDON 1805 CROTONA AVE. # 17D BROOKLYN, NY 10474 | |

0800 MORRIS
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PS Form 3817, January 2001